

ORIGINAL

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FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

APR 09 2013
at 1:00 o'clock and 30 min. P.M.
SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

PRO SE FRANK WEBB, JR.) CIVIL NO. <u>CV13 00168 ACK KSC</u>
PLAINTIFF) COMPLAINT FOR DAMAGES
VS.) SUMMON F/W
THE STATE OF HAWAII PUBLIC HOUSING AUTHORITY) EXHIBIT A
) STATEMENTS IN SUPPORT
) OF CLAIM
DEFENDANT)

Pro Se Frank Webb Jr., PLAINTIFF, plead to enjoin DEFENDANT, the State of Hawaii Public Housing Authority in this matter concerning the United States Constitutional Bill of Right.

FACTS

- (1) Plaintiff received two (2) letters from Defendant, implementing a new non-smoking policy, one on March 3, 2013 and another on March 13, 2013,*AND 3-29-2013*
EXHIBIT (A).
- (2) La Iola Elderly is not a building facility, *AND NOT A PROJECT*
- (3) La Iola is an elderly housing apartment complex and it is the Plaintiff's private residence.
- (4) Cause of Action.
- (5) Count 1.
- (6) Invasion of Plaintiff's Zone of Privacy.
- (7) Violation of Plaintiff's United States Constitutional Bill of Right Guarantee
Penumbra Right of Privacy.
- (8) Due process of law depriving Plaintiff of his liberty and constitutional protection and Penumbra Right of Privacy.
- (9) Negligence.
- (10) Infliction of mental anguish, pain, and suffering.

Therefore, cause was shown; Plaintiff prays for judgment against Defendant, the State of Hawaii Public Housing Authority as follows:

Count 1

An order for monetary damages.

An order for Defendant to cancel the new non-smoking policy.

General damages in the amount of ~~\$5,000,000~~

Punitive damages.

For such and other costs, this Honorable Court may deem just and proper.

PRO SE FRANK WEBB JR PLAINTIFF
I'IHO I'IHO PL # 308 A
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Frank Webb Jr

PLAINTIFF IS A SEVENTY (70) YEAR OLD DISABLE MERCHANT SEAMAN
PLAINTIFF have lived AT LAJOLA ELDERLY HOUSING APARTMENT
COMPLEX, IN HIS PRIVATE RESIDENT FOR TWO(2) YEARS AND(3) MONTHS

THE SUPREME COURT HAS RULED THAT THE SPECIFIC GUARANTEE
IN THE BILL OF RIGHTS, HAVE PENUMBRAS CONTAINING
IMPLIED RIGHT OF PRIVACY

DEFENDANT NON SMOKING POLICY PROHIBITING PLAINTIFF TO SMOKE TOBACCO PRODUCT IN THE PRIVACY OF HIS PRIVATE RESIDENT, IS A INVASION OF PLAINTIFF ZONE OF PRIVACY

ACCORDING TO CHAPTER 328J OF THE HAWAII REVISED STATUTES
PLAINTIFF SMOKING IN HIS PRIVATE RESIDANTS IS EXEMPT
FROM DEFENDANT NON SMOKING POLICY

PAO SE FRANKWEBB JR PLAINTIFF
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